

RULES/AGENCY RULES COMMITTEE

Meeting Report
March 22, 2006

PRESENT: Chair Chavez, Members Campos and Williams.

ABSENT: Member Chirco (excused).

STAFF: City Attorney Richard Doyle, City Clerk Lee Price, Council Agenda Manager for the Mayor's Office Jennifer Carlino, Deputy City Manager Deanna Santana, Agenda Services Manager Nadine Nader and Redevelopment Agency Liaison Gary Miskimon

Chair Chavez called the meeting to order at 2:04 p.m.

A. Redevelopment Agency (Executive Director)

1. Review April 4, 2006 Draft Agenda
 - a. Adds to the April 4, 2006 Draft Agenda
 - None. No meeting April 4th.
2. Add New Items March 28, 2006 Agenda
 - a. Redevelopment Board Requests
 - None
 - b. Executive Director Requests
 - Adoption of a resolution approving a budget adjustment adding \$105,000 to the Adopted FY 2005-06 Capital Budget to the Downtown Housing Site Acquisition project line in the Merged Redevelopment Area and amending the FY 2005-06 Redevelopment Agency appropriations resolution; and
 - Approval of an agreement with EarthTech, Inc., in an amount not to exceed \$105,000 for the preparation of plans and specifications for the hazardous abatement and demolition of the structures at 105 South Montgomery Street and the preparation of documents for the construction of an interim surface parking facility on that site.
 - Adoption of a resolution by the City Council making certain determinations required by state law for Redevelopment Agency funding of proposed improvements to the Fallon House; and

- Adoption of a resolution of the Agency Board awarding a contract to Rodan Builders, Inc., the low bidder in the amount of \$429,000, for the Fallon House Improvements project, and establishing a 15% project contingency in the amount of \$65,000 for a total construction budget not to exceed \$494,000. [JULIAN-STOCKTON]
 - c. RDA Counsel Requests
 - None
 - 3. List of Reports Outstanding
 - No reports outstanding.
- B. City Council (City Clerk)
- 1. Review April 4, 2006 Draft Agenda
- The committee recommended approval of the April 4, 2006 City Council Agenda with the following additions:
- a. Adds to the April 4, 2006 Draft Agenda
- Presentation to Geoff Cady, Pride of San José Award Recipient (City Manager/Mayor)
(Rules Committee referral 3/22/06)
- Presentation to Bill Leavy, NFL Referee (Mayor)
(Rules Committee referral 3/22/06)
- Presentation to San José Public Library Employees (Yeager)
(Rules Committee referral 3/22/06)
- Presentation to the Megan's Law Task Force (Chavez/Mayor)
(Rules Committee referral 3/22/06)
- TO BE HEARD IN THE EVENING
- Presentation to Louis Urbina, Pride of San José Award Recipient
(Chirco/Mayor)
(Rules Committee referral 3/22/06)
- b. Review April 4, 2006 Joint City of San José/Santa Clara Valley Water District Agenda
- The committee recommended approval of the April 4, 2006 Joint City of San José/Santa Clara Valley Water District Agenda.

2. Add New Items to March 28, 2006 Agenda

The committee recommended approval of the April 4, 2006 City Council Agenda with the following additions:

a. Mayor and Councilmember Requests

- Resolution of Support for the Go Green Initiative (LeZotte/Chirco)
(Rules Committee referral 3/22/06)

b. Council Appointee Requests

- Presentation to Robert Colarossi, Managing Director of Anschutz Entertainment Group Cycling, and to Medalist Sports (Office of Economic Development)
(Rules Committee referral 3/22/06)
- Approval of actions related to the Northside Community Center (City Manager's Office)
(Rules Committee referral 3/22/06)
- Adoption of an urgency ordinance amending Title 21 of the San José Municipal Code regarding environmental clearance processes under the California Environmental Quality Act of 1970 (CEQA) (City Attorney)
(Rules Committee referral 3/22/06)
- Adoption of a resolution initiating proceedings to amend Title 21 of the San José Municipal Code regarding environmental clearance processes under the California Environmental Quality Act of 1970 (CEQA) (City Attorney)
(Rules Committee referral 3/22/06)

3. List of Reports Outstanding

Documents Filed: Report from the City Manager's Office dated March 15, 2006, listing four (4) staff reports outstanding for the March 28, 2006 City Council Meeting.

Discussion/Action: The Committee noted and filed the City Manager's Report.

C. Legislative Update

1. State
2. Federal
 - a. National League of Cities Congressional Conference Summary Report. (Intergovernmental Relations)
 - Betsy Shotwell, Director of Intergovernmental Relations, provided an oral summary of Conference highlights.

Discussion/Action: The Committee accepted the oral report.

D. Meeting Schedules

1. Set April 4, 2006 at 10:00 a.m. to meet in joint session with the Santa Clara Valley Water District. (City Clerk)

Discussion/Action: The Committee set the meeting date.

E. The Public Record

Documents Filed: Memorandum from the City Clerk dated March 16, 2006, transmitting items filed for the Public Record for the period March 8-14, 2006.

Discussion/Action: The Committee noted and filed the Public Record.

F. Appointments to Boards, Commissions and Committees

- 1 Appointments to the Deferred Compensation Advisory Committee (Employee Services)

Documents Filed: Memorandum from Mark Danaj, Employee Services Director dated March 16, 2006 recommending the appointments of Jeff Ricketts and Trish Glassey to the Deferred Compensation Advisory Committee (DCAC).

Discussion/Action: The Committee recommended the appointments of Jeff Ricketts to the DCAC to serve the remaining three years of retiree Don DeMer's term as the employee representative recommended by the San José Police Officers Association (POA) for a term ending March 1, 2009; and the appointment of Trish Glassey to the DCAC as the employee representative recommended by the American Federation of State, County and Municipal Employees (AFSCME) of Municipal Employees'

Federation (MEF) and Confidential Employees' Organization (CEO), for a four-year term ending March 1, 2010.

2. Advisory Commission on Rents Term Extensions. (Campos)

Documents Filed: Memorandum from Councilmember Campos recommending a one-time only, one-year extension to term ending dates for Commissioners Holtzman-Peters and Wincor.

Discussion/Action: The Committee approved the recommendation.

G. Rules Committee Reviews, Recommendations and Approvals

1. Request to add reviews of high profile, complex RFP's/procurements as an on-going assignment to the City Auditor's Workplan. (City Auditor)

Documents Filed: Memorandum from Gerald Silva, City Auditor, dated March 13, 2006, requesting that the Rules Committee add to the City Auditor's Office Workplan reviews of high profile, complex RFP's/procurements as an on-going assignment.

Discussion/Action: The Committee approved the recommendation and requested that a definition of "high profile and/or complex" be provided when staff returns with the Procurement Reforms.

2. Approval of an amended timeline for the Fire Department to research and develop an ordinance for Improved Fire Safety in Older Buildings. (Fire Department)

Documents Filed: Memorandum from Jeff Clet, Fire Chief, dated March 15, 2006 outlining an amended timeline for the Fire Department to research and develop an ordinance for improved fire safety in older buildings. (Fire)

Discussion/Action: The committee approved the amended timeline and directed staff to look at what other cities have done, involve the Tri-Counties' Apartment Association and to return to Rules with a progress update between September and November, 2006.

3. Adoption of an opposition position on HR 4437: Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005. (Cortese)

Documents Filed: Memorandum from Vice Mayor Cindy Chavez, Council Members Linda J. LeZotte, Madison Nguyen and David Cortese, dated March 21, 2006, recommending adoption of a resolution in opposition to

the proposed Comprehensive Immigration Reforms to be heard in the Senate Judiciary Committee.

Discussion/Action: Erik Larsen, President, Municipal Employees' Federation (MEF), AFSCME, Local No. 101 and Laressa, Policy Director for Services, Immigrant Rights and Education Network (SIREN), spoke in support of the City's recommendation for a resolution in opposition to the immigration reform bill. The Committee directed the City Manager, or his designee, to monitor the activities of the National League of Cities "Immigration Task Force" which has been meeting since December of 2005 to focus on key issues affecting cities and towns related to immigration reform, review pending legislation in Congress, and identify policy gaps/policy amendments to guide NLC's lobbying as immigration reform unfolds.

4. Approval of Travel by Councilmember Nora Campos to attend the League of California Cities Transportation, Communication & Public Works Policy Committee Meeting in Los Angeles on March 30, 2006. (Campos)

Documents Filed: Memorandum from Councilmember Campos requesting the approval of travel to attend the League of California Cities' Transportation, Communication & Public Works Policy Committee Meeting in Los Angeles on March 30, 2006 and to use funding available in the Mayor/Council Travel Fund.

Discussion/Action: The Committee approved the travel request.

- H. Open Forum – Bill Chew spoke about his candidacy for District 3 and observed that the public has the opportunity to gain greater access to City government by watching the Rules Committee meetings on television or via the Internet.
- I. Adjournment – The meeting adjourned at 2:48 p.m.


Cindy Chavez, Chair
Rules/Agency Rules Committee